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Kevin H. Sharp

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DEFENDANT’S MOTION TO ASCERTAIN THE STATUS OF THIS CASE

Defendant The Nashville Symphony Association (incorrectly named in the Complaint as Nashville Symphony) (the “NSA”), pursuant to Local Rule 7.01(c), submits the following Motion to Ascertain the Status of this Case. This motion relates specifically to Defendant’s Motion to Continue Trial Date filed on September 26, 2013, and Defendants Motion for Summary Judgment filed on March 27, 2013. In support of this motion, the NSA states as follows:

1. Trial in this case is currently scheduled for October 29, 2013.
2. On March 27, 2013, Defendant filed its currently pending Motion for Summary Judgment. [Docket Entry Nos. 19-23]. The Motion for Summary Judgment seeks dismissal of Plaintiff's lawsuit in its entirety on every theory of discrimination advanced by Plaintiff. While Plaintiff filed a Reply to Defendant's Statement of Facts [Docket No. 24], Plaintiff did not file a substantive Response to Defendant's Motion for Summary Judgment.
3. On September 26, 2013, Defendant filed its currently pending unopposed Motion to Continue Trial Date. [Docket Entry No. 36]. That Motion seeks a continuance of the trial, for a number of reasons: (1) Mr. Jonathan Norris, a key witness for the Defendant, has a conflict